

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
CASE NO.: 09-20423-CIV-GOLD/MCALILEY

UNITED STATES OF AMERICA

Petitioner

v.

UBS AG,

Respondent.

\_\_\_\_\_ /

ORDER REGARDING MEDIA CONDUCT AND ELECTRONIC EQUIPMENT ACCESS

This matter is set for evidentiary hearing the week of July 13, 2009. To insure public access to this matter, a temporary press room has been established on the 11<sup>th</sup> floor of the Wilkie D. Ferguson Courthouse at 400 North Miami Avenue, Miami, Florida. The temporary press room will be available for members of the press, as well as overflow space for members of the public. The Court will make every effort to have live video and audio feeds of the proceedings available in the temporary press room. Basic furniture and wireless internet access will be provided. Access to this space and any equipment will be on a first come, first served basis.

Members of the media with appropriate press credentials will be allowed to bring in cellular telephones, blackberries, laptops and other similar electronic devices, provided they comply with the terms and restrictions set out in this Order. Accordingly, it is ORDERED AND ADJUDGED:

Electronic Equipment Access: Consistent with Administrative Order 2009-12, credentialed members of the press will be allowed to bring into the Ferguson courthouse cellular

phones, Blackberries, iPhones, Palm Pilots, and other similar electronic devices, as long as they agree in writing to not email, text message, twitter, type or otherwise use those devices inside any courtrooms within this District. Consistent with that Administrative Order and this District's stated practice concerning equipment accessible to its press rooms, those members of the media may also bring in laptop computers that may only be used in the District's press rooms, including the temporary press room that has been established for this case on the 11<sup>th</sup> floor of the Ferguson courthouse. Other than the electronic devices listed above, no other electronic devices may be brought into the courthouse, even if not intended for use within the courthouse, including but not limited to recording equipment and microphones. It is further ORDERED AND ADJUDGED:

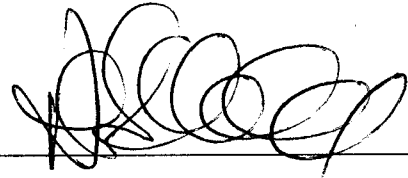
Process for Access: The Clerk of Court has established procedures for obtaining admission of permitted electronic equipment by the media, which is Exhibit A to this Order. All members of the Press shall be required to sign for receipt of copies of this Order and Administrative Order 2009-12, and agree to abide by the terms and conditions set forth therein. The Clerk's designated press liaison for this case is Deputy Clerk Catherine Wade-Babyak, who may be reached at (305)523-5015. The Clerk shall post information and procedures for press access on the Court's website found at [www.flsd.uscourts.gov](http://www.flsd.uscourts.gov). It is further ORDERED AND ADJUDGED:

Prohibition of Recording or Transmitting Audio or Video: The Press room is intended to facilitate media access to the proceedings, as well as to provide the media with a location for reports to be filed, whether by cellular messages, email, text message, twittering or electronic submission of written stories. Notwithstanding the provisions above, under no circumstances shall a member of the news media make recordings or transmit video or audio of proceedings from within the courthouse. No recordings or transmissions of video or audio feeds to the press

rooms shall be made. No recordings or transmissions of other proceedings in the courthouse shall be made. No video transmissions of any kind shall be made or transmitted from within the courthouse. Nor shall any pictures of any kind be taken within the courthouse. It is further ORDERED AND ADJUDGED:

Violations: A violation of this Order will result in an immediate loss of courtroom or press room seating for that member of the media, and for all employees of his or her media organization for the duration of these proceedings. Moreover, any person who violates this Order may be subject to criminal prosecution for obstruction of justice or contempt of court.

DONE AND ORDERED in Chambers in Miami, Florida this 9 day of July, 2009.

A handwritten signature in black ink, appearing to read 'Alan S. Gold', written over a horizontal line.

THE HONORABLE ALAN S. GOLD  
UNITED STATES DISTRICT JUDGE

cc:

U.S. Magistrate Judge Chris M. McAliley  
Steven M. Larimore, Court Administrator • Clerk of Court  
United States Marshal's Service  
All counsel of record

## **US v UBS AG (Swiss Banks), 09-CV-20423 ASG**

### **Media Procedures**

#### **Building Access:**

**Hours:** 7:30 a.m.- 9:30 a.m.; 30 minutes prior to and after start time after lunch break; on call as needed throughout the day.

#### **Process:**

A media sign in table will be set up in lobby.

Press will show credentials, and be given copies of AO 2009-12 and Media Order from this case.

(A letter on media company letterhead, a pre-printed business card or other similar items will be accepted. Questions as to acceptability shall be directed to Clerk of Court Steve Larimore or Chief Deputy Clerk Kevin Kappes.)

Press will fill out and sign access form.

Upon review and acceptance, press will be given a temporary press badge.

Press will then be directed to the USMS regular check in area for processing.

Per USMS regulations, all persons entering the courthouse including the press must have a government issued photo ID, such as a driver's license, passport, or other official ID.

*Press credentials alone will not be sufficient for building entry.*

Upon presentation of an acceptable photo ID, the USMS will permit entry into the building.

All media personnel and electronic equipment will be submitted through regular x-ray screening.

Only cell phones, blackberries, laptops and other acceptable electronic equipment as identified in the court orders will be permitted.

*Other electronic equipment, including but not limited to recording devices, microphones, and video equipment, will not be permitted into the courthouse.*

After passing through screening, press members will be directed to take elevators to the 11<sup>th</sup> floor.

#### **11<sup>th</sup> Floor :**

#### **Process:**

As members of the media and public exit elevators, they will be directed to appropriate areas.

For those simply wishing to observe, they will be directed to courtroom 11-1.

*No electronic equipment may be used while observing live proceedings in courtroom 11-1.*

For those wishing to use electronic equipment, they will be directed to the temporary press room on the 11<sup>th</sup> floor.

Once courtroom 11-1 reaches capacity, overflow also will be directed to the temporary press room.

#### **Exhibit A**

**Temporary Press Room Procedures:**

**Hours:** 8:00 a.m. - 30 minutes past conclusion of court session at day's end.

**Process:**

Live video and audio feeds will be available;

WiFi wireless internet access will be activated; it will be secured and limited to that courtroom;

Tables and chairs will be available, along with additional gallery seating.

Extra power strips will be temporarily installed for power, but members of the press will need to bring their own power cords and adapters;

The Press room is intended to facilitate media access to the proceedings, as well as to provide the media with a location for reports to be filed, whether by cellular messages, email, text message, twittering or electronic submission of written stories.

**Absolutely no recording, streaming or other transmissions of the actual court proceedings or the live feeds to the press room of those proceedings (audio or video), nor any other transmission of video or pictures shall be made from anywhere within the courthouse, including this press room. See Administrative Order 2009-12 and the Order Regarding Media Conduct dated July 9, 2009.**

If capacity of this temporary press room is not sufficient, the court will attempt to make available an additional overflow press room. While every effort will be made to provide the same level of service in overflow space, resources may limit live feeds to audio only.

All courtroom and press room access will be on a first come, first serve basis, subject to space and availability.